

REMARKS

Applicants have cancelled claims 1-8 and added claims 9-89. Support for the new claims can be found throughout the specification, e.g., at page 8, line 7 through page 14, line 13 and page 44, lines 1-20 and in claims 1-8 as originally filed. Applicants have amended the first paragraph of the specification to supplement the specific reference to earlier filed applications as required by 37 C.F.R. 1.78(a)(2). No new matter has been introduced by these amendments.

This application claims the benefit of United States Application Serial No.: 10/004,530 (the '530 application), filed on October 23, 2001. An Office Action ("the Action") was issued by the United States Patent and Trademark Office in connection with the '530 application on May 5, 2003. Applicants timely filed a Reply to the Action on November 5, 2003. Applicants were informed by the Office in a second Office Action ("the Second Action") that the Reply was not entered because of the subject matter of the newly presented claims. However, the Office also indicated in the the Second Action that the Reply "appears to be a bona fide attempt to reply" and that applicants were "given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice [i.e., the Second Action] within which to supply the omission or correction in order to avoid abandonment." The mail date of the Second Action was January 28, 2004, thereby extending the pendency of the '530 application to February 28, 2004. Applicants submit that the present application and United States Application Serial No.: 10/004,530 are therefore copending.

Applicant : David H. Coy et al.
Serial No. :
Filed :
Page : 43 of 43

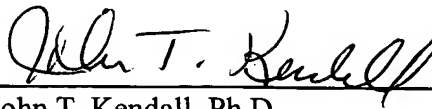
Attorney's Docket No.: 00537-00900L

Applicants ask that all claims be examined and allowed.

Please apply any charges or credits to deposit account 06-1050, referencing Attorney
Docket No.: 00537-00900L.

Respectfully submitted,

Date: February 27, 2004



John T. Kendall, Ph.D.
Reg. No. 50,680

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906